

Post 4/25/69 How Long Has This Been Going On?

FBI Director J. Edgar Hoover has offered as justification for tapping the telephones of the late Rev. Dr. Martin Luther King Jr. two assertions: one, that this tapping was authorized by the late Robert F. Kennedy, Attorney General at the time it was initiated; and, two, that Mr. Kennedy instigated the wiretapping.

The first of these assertions appears to be uncontested, although Mr. Hoover has yet to produce any documentation of it. In considerable degree it relieves him of responsibility for a gross intrusion into the privacy of an honored citizen. The responsibility for this intrusion must be lodged, in fairness, with the Attorney General if he did indeed give his approval of it in advance. We regret, therefore, that in calling for Mr. Hoover's resignation recently, we imputed the responsibility to him alone—there are far better reasons than this for him to step down.

The second of Mr. Hoover's assertions has been categorically contested by two former Attorneys General, one of them Deputy Attorney General under Mr. Kennedy at the time the wiretapping was begun. Nicholas Katzenbach declared bluntly: "To say or imply that this tap was the original conception of Robert Kennedy—that he was the moving force in this situation—or that he had any doubts whatsoever as to Dr. King's loyalty or integrity is false." Ramsey Clark similarly called Mr. Hoover's assertion "unfair and deceptive." And Mr. Clark added a comment that seems to us most significant: "He (Mr. Hoover) repeatedly requested me to authorize FBI wiretaps on Dr. King while I was Attorney General. The last of these requests, none of which was granted, came two days before the murder of Dr. King."

How long the tapping of Dr. King's telephone continued and whether it continued beyond the date of President Johnson's order forbidding such surveillance except in cases directly affecting national security is difficult to determine. Did the tapping continue under the Attorney Generalship

of Mr. Katzenbach and under the Attorney Generalship of Mr. Clark, without benefit of their approval? Another former high Federal official, Columnist Carl Rowan, says: "Certain buggings and other surveillance of King did not end in April, 1965. As a top Government official, I read FBI surveillance reports on King long after the date when Hoover says the wiretaps were ended."

The essential facts of this controversy cannot be established through selective release of materials from the FBI's files. Mr. Hoover has a habit of calling what he does not wish to disclose "classified," while allowing discreet glimpses of material that serves his purposes. His whole handling of the wiretap problem over a period of 30 years has been, in our view, disingenuous to say the least. It began with an assertion that President Franklin D. Roosevelt authorized him to tap telephones in national-security cases; but he insisted that the President's letter conferring this power was classified and therefore could not be made public; it became public only recently.

Over and over again, moreover, Mr. Hoover has said that his Bureau has tapped telephones only in connection with national security; and he has said this in terms and contexts which led readers and listeners to believe that he was tapping only in situations involving espionage or sabotage by enemy agents. If his concept of a threat to "national security" embraces the leadership of a civil rights movement, then he lacks either the judgment or the candor to direct the FBI.

Mr. Hoover has held his present job for 45 years. It entails a most dangerous power. In many respects he has served the American people ably and deserves their gratitude. But long before now he ought to have handed in his resignation. No man who does not recognize the impropriety and the danger involved in a 45-year tenure as head of a secret investigating agency is qualified to hold an office so powerful and so fraught with peril to a free people.